

MNFRAME.005A2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Johnson, et al. ) Group Art Unit 2785  
Appl. No. : 08/942,448 )  
Filed : October 1, 1997 )  
For : METHOD FOR MANAGING )  
ENVIRONMENTAL CONDITIONS )  
OF A DISTRIBUTED PROCESSOR )  
SYSTEM (as amended) )  
Examiner : Stephen Elmore )  
I hereby certify that this correspondence  
and all marked attachments are being  
deposited with the United States Postal  
Service as first-class mail in an envelope  
addressed to: Assistant Commissioner for  
Patents, Washington, D.C. 20231, on  
June 30, 2000  
Eric M. Nelson, Reg. No. 43,829

VERIFIED STATEMENT OF JOHN N. KANDARA

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, John N. Kandara, am a summer associate at the law firm of Knobbe, Martens, Olson & Bear L.L.P., located at 620 Newport Center Drive, 16th Floor, Newport Beach, California, 92660-8016, which is representing Micron Electronics, Inc., a Minnesota Corporation, with its principal place of business at 900 East Karcher Road, Nampa, Idaho 83687, in regards to filing and prosecuting the above-captioned application for patent in the United States Patent and Trademark Office.

On Tuesday, June 20, 2000, I telephoned every Ken Nguyen listed in the San Jose area. The first number listed for a Ken Nguyen was (408) 224-8284. I called at approximately 4:40 p.m. The number had been disconnected; a recording advised me that the call could not be completed.

The second number listed for a Ken Nguyen was (408) 223-9866. I called at approximately 4:45 p.m., and the phone was answered by a man who identified himself as Ken Nguyen. He apparently had difficulty understanding me, however, and gave the phone to his wife. I gave my name and explained that I was with Knobbe, Martens, Olson & Bear and was

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calling regarding the signing of some legal documents. I said that Mr. Nguyen should have received a patent declaration in the mail and that we would appreciate his cooperation. At this point, Mrs. Nguyen told me that I must have the wrong number. Her husband, she said, had never been affiliated with a company called NetFrame and had nothing to do with any inventions.

The third and final number listed for a Ken Nguyen was (408) 264-9206. I called at approximately 4:55 p.m. Upon hearing an answering machine, I hung up and tried calling again at approximately 5:05 p.m. Once again I heard the answering machine and hung up. On Wednesday, June 21, 2000, I telephoned this number several times at various occasions during the day. On each call, I heard the answering machine and hung up without leaving a message.

On Thursday, June 22, 2000, I again telephoned (408) 264-9206, this time at approximately 8:40 a.m. Upon getting the answering machine, I left a message giving my name and explaining that I was with Knobbe, Martens, Olson & Bear and was trying to reach Mr. Nguyen regarding the signing of some legal documents. I said that Mr. Nguyen should have received a patent declaration in the mail and that we would appreciate his cooperation. I requested that Mr. Nguyen return my call.

During the week of Monday, June 26, 2000, I called (408) 264-9206 during working hours at least two more times on two separate occasions, and each time I left similar messages on the answering machine. On Thursday, June 29, 2000, I returned from lunch to find a message from Mr. Nguyen. He had received my earlier messages, he said, but had not responded because they were apparently for a different Ken Nguyen. He had not worked for NetFrame and was not involved with the inventions of that company.

I have now contacted all the Ken Nguyens who have telephone listings in the San Jose area and have been unable to locate the Ken A. Nguyen who is a joint inventor for this patent. Copies of the Declaration have been mailed to his last known address, but no response has been received. In addition, Mr. Nguyen has failed to respond to numerous other letters that have been sent to him via Registered Mail or Federal Express.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Code and that such willful, false statements may jeopardize the validity of the application or documents or any patent issuing thereon.

Dated: 30 June 2000

By:

*John N. Kandara*  
John N. Kandara

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